

INTRODUCED: 02/22/2010

REFERRED TO: Rules and Public Policy Committee

SPONSOR: Councillors Sanders, Mansfield, Minton-McNeill, Lewis, Moriarty Adams, B. Mahern, Nytes, Bateman and Oliver

DIGEST: supports an open and transparent discussion concerning the proposal to sell or to otherwise dispose of water-related resources, water facilities, assets and properties of Indianapolis Water, and that any such disposition or decision to retain such assets be a matter reserved to the City-County Council

SOURCE:

Initiated by: Councillor Sanders

Drafted by: Councillor Sanders

LEGAL REQUIREMENTS FOR ADOPTION:

PROPOSED EFFECTIVE DATE:
Adoption and approvals

GENERAL COUNSEL APPROVAL: _____ Date: February 17, 2010

CITY-COUNTY COUNCIL RESOLUTION NO. _____, 2010

A COUNCIL RESOLUTION supporting an open and transparent discussion concerning the proposal to sell or to otherwise dispose of water related resources, water facilities, assets and properties of Indianapolis Water; and that any such disposition or decision to retain such assets be a matter reserved to the City - County Council.

WHEREAS, the Department Of Water Works was established by City - County General ordinance No. 112, 2001 pursuant to IC 36-3-4-23 with the stated public purposes of: "Acquisition of the waterworks, and its operation, improvement and extension, together with existing waterworks assets owned by the city, serves public purposes by providing customers with an adequate, reliable, economical and healthful supply of water and by promoting economic development through creation or retention of opportunities for gainful employment, business opportunities, and retention or attraction of investment." Sec. 273-102, G.O. No. 112, 2001.; and

WHEREAS, the intent of the ordinance and the purchase authorized by G. O. 112, 2001 was in part based upon the belief that the purchase would offer incentives to businesses that would have to locate here in Indianapolis thus creating and maintaining jobs in and for the Indianapolis community; and

WHEREAS, the creation of waterworks related jobs in the Indianapolis community has also created a diversified and improved general fund revenue base for the continued improvement of the quality of water and life in Indianapolis by maintaining sustainable rates for consumers; and

WHEREAS, the question of retention of ownership or the sale or lease of Indianapolis' waterworks and related assets is one of great public import and interest that will be best served by open and transparent discussion that encourages public input, knowledge and understanding consistent with the goals of good government; and

WHEREAS, questions now arise as to the future of the waterworks after the 2009 issuance of a Request for Expression of Interest (REI) by the Office of the Mayor; and

WHEREAS, state statute, IC 5-22, *et seq.* and IC 8-1.5, *et seq.* requires that the disposal, transfer or sale of such assets must follow a public notice and / or public bidding process, including but not limited to, the issuance of a Request for Proposal (RFP) wherein all bidders have equal access to requirements, specifications, facilities and other related information providing a transparent, level playing field for the bidding process; and

WHEREAS, citizens and government officials of Indianapolis wish to govern and to commit the assets belonging to the citizens in a manner that is best for our mutual interests; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council recognizes its responsibility in the question of retaining, selling or otherwise disposing of an asset so valuable to the continued economic health of our residents and users of waterworks assets as to encourage the Mayor to join the Council in hosting public forums to discuss the future of our waterworks resources and assets thus strengthening the entire community.

SECTION 2. The City-County Council urges compliance with state statute, IC 5-22, *et seq.* and IC 8-1.5 *et seq.* regarding the issuance of a Request for Proposal prior to the announcement of any binding agreements that may require changes in the ordinances previously approved by this Council or create a fiscal burden on the City of Indianapolis and Marion County taxpayers.

SECTION 3. The City Council will pursue alternatives to the sale of the assets that are real, long-term solutions to city-wide infrastructure problems.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2010, at _____ p.m.

ATTEST:

Ryan Vaughn
President, City-County Council

Melissa Thompson
Clerk, City-County Council